

# **EXHIBIT 10**

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

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IN RE: UBER TECHNOLOGIES,  
INC., PASSENGER SEXUAL Case No.  
ASSAULT LITIGATION, 3:23-MD-03084-CRB (LJC)

-----x

WHB 823,

Plaintiffs,

v.

UBER TECHNOLOGIES, INC.,  
et al.,

Defendants.

-----x

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

REMOTE VIDEOTAPED DEPOSITION of

DAVID CURTIS SAWYER

Thursday, October 23, 2025

Reported by: MaryJo O'Connor, RDR, RMR

Job No. CS7672170

1 check process for Hassan Turay. You started by  
2 running criminal record searches in Maricopa  
3 County, Arizona, and Fulton County, Georgia,  
4 correct?

5 A. Maricopa. Fulton County, Georgia.  
6 Yes.

7 Q. And this was because your Social  
8 Security number trace showed prior addresses  
9 only in these two states, correct?

10 A. Yes, that appears to be true.

11 Q. Your searches found no criminal  
12 records for Hassan Turay, correct?

13 A. Correct. I see I made a note here  
14 about his entry into the U.S. and possibly  
15 having criminal records in other countries, but  
16 I did not find any in the U.S.

17 Q. Okay. And I'm going to get to  
18 outside the U.S. But your search found no  
19 criminal records for Hassan Turay in the  
20 United States, correct?

21 A. That is correct.

22 Q. And you also ran a search in  
23 Arizona and Georgia federal district courts,  
24 correct?

25 A. Yes, I did.

1 Q. And no criminal records were found  
2 in Arizona or Georgia district court records  
3 for Hassan Turay, correct?

4 A. Yes, I believe that's correct.

5 Q. Your background check for Hassan  
6 Turay did not uncover any reportable  
7 disqualifying records for Hassan Turay,  
8 correct?

9 A. Yes, that is correct.

10 Q. Okay. Your social media search  
11 found four profiles for Hassan Turay, correct?

12 A. That is correct.

13 Q. You were unable to confirm whether  
14 any of these four profiles in fact pertained to  
15 Hassan Turay, the driver in the JD case,  
16 correct?

17 A. I don't remember specifically,  
18 although what it's stating in my report is no  
19 derogatory information. I don't remember if we  
20 determined they were a definite match to him or  
21 not.

22 Q. Okay. And just to be clear, based  
23 on what you just said, your social media search  
24 found no derogatory information for Hassan  
25 Turay, correct?

1 A. Yeah, that's correct.

2 Q. And you chose not to consult the  
3 driver's license of Hassan Turay to see whether  
4 the photo matched any of the social media  
5 profiles, correct?

6 A. I'd have to see that. I don't  
7 know that there were photos of the social  
8 media. There sometimes are and there sometimes  
9 aren't.

10 Q. But you did not. You chose not  
11 to. If there were in fact photos on the social  
12 media profiles, you chose not to compare the  
13 photo in Hassan Turay's driver's license to the  
14 social media searches you conducted, correct?  
15 If there were photos.

16 A. Yeah, I don't believe that we did  
17 any comparisons to a driver's license from  
18 social media. But, again, I don't know how  
19 many, if any, had photos on them.

20 Q. In your report you suggest --  
21 well, let me strike that.

22 Uber had more than seven years of  
23 claiming background checks in the U.S. prior to  
24 2023 for Hassan Turay, correct?

25 A. So Uber -- prior to when?

1 the U.S., do you?

2 A. That would be impossible to know  
3 unless we did searches. But, I mean, we know  
4 he resided in Sierra Leone. We don't know if  
5 he resided anywhere else. We don't know if he  
6 has a criminal record in a country he visited.  
7 So there is no way to know that.

8 Q. Are you suggesting that Uber  
9 should conduct background checks in every  
10 country an applicant has ever visited?

11 A. No, I am not. But certainly in  
12 every country where they have spent any amount  
13 of time, whether it be as a student attending a  
14 university or where they've lived, or maybe  
15 they lived with an aunt and uncle for two  
16 years. But any country where they've spent any  
17 amount of time, not just a vacation.

18 Q. Okay. My question, Mr. Sawyer,  
19 is: As you sit here today, because you chose  
20 not to do a background check in the country you  
21 know Mr. Hassan Turay lived in, you have no  
22 evidence indicating that Hassan Turay ever  
23 committed any offenses outside the U.S.,  
24 correct?

25 MR. ROTMAN: Objection.

1           A.       There is no way for me to have  
2           that, so of course, you know, I have to say,  
3           no, I don't. But without having any further  
4           information, there would be no way for me to.  
5           So you're asking me a question that you could  
6           have answered yourself.

7           Q.       Well, there'd be a way for you to  
8           have information had you chosen to conduct a  
9           background check in Sierra Leone for Hassan  
10          Turay, correct?

11          A.       Not to have a meaningful  
12          background check without being able to, you  
13          know, talk to Mr. Turay or have some other way  
14          of determining where in Sierra Leone he  
15          resided.

16          Q.       Is it your opinion that it is not  
17          possible to conduct effective background checks  
18          outside the U.S. in the absence of interviews  
19          with an applicant?

20          A.       I'm -- there may be other ways to  
21          obtain that information. I think interviews  
22          are the best way. I think that you get a  
23          better read on whether or not somebody is being  
24          truthful with you.

25                    I suppose it could be asked on an

1 mean, of course you're not going to have any  
2 evidence - nobody would - if the fingerprints  
3 weren't done and run through the FBI database.

4 Q. So you have no evidence that a  
5 fingerprint-based background check would have  
6 detected a criminal history in the background  
7 of any of the bellwether drivers, correct?

8 A. There would be no way to know that  
9 without doing the fingerprints and running them  
10 through the FBI database. And then you, you  
11 know, you may -- if there are records, that's  
12 going to be one way to find them. And if there  
13 aren't records, then that's another way to show  
14 that somebody does not have a record.

15 Q. Okay. You have no evidence that  
16 using a ten-year lookback period would have  
17 detected a criminal history in the background  
18 of Hassan Turay, do you?

19 A. Again, you know, you can't know  
20 that unless you're doing it. What I can tell  
21 you is that with many of my clients we do  
22 ten-year lookback periods and we often find  
23 records, you know, between seven and ten years  
24 ago. And I advise every single one of my  
25 clients to at least do it, you know, a ten-year



1           A.       I don't think that's correct. My  
2       understanding of the lookback period is not how  
3       far back you look when you go into a particular  
4       court looking for records. It has to do with  
5       the Social Trace. And if an address that shows  
6       up on the Social Trace was six years ago,  
7       you're searching that county. But if there was  
8       a different county that was listed eight years  
9       ago, you're not, if seven years is your  
10      lookback period.

11          Q.       Okay. We can take this record  
12      down. I'm just asking, putting aside the  
13      records we just looked at, as you sit here  
14      today, you have no evidence that using a  
15      ten-year lookback period would have detected a  
16      criminal history in the background of Hassan  
17      Turay, correct?

18          A.       Again, there is no way to have  
19      that evidence, if I think the lookback period  
20      wasn't performed.

21          Q.       Okay.

22          A.       So, no.

23          Q.       Okay. I'm going to turn to Edwin  
24      Orozco. In addition to performing your own  
25      background checks, you also reviewed the

1 MR. ROTMAN: Objection.

2 A. The only way for me to know that  
3 would be if they were done. So, of course not.

4 Q. Okay. You have no evidence that  
5 an interview, if it had been conducted at the  
6 time that the bellwether drivers were  
7 on-boarded to the Uber platform, it would have  
8 revealed criminal offenses. You have no such  
9 evidence, correct?

10 A. Well, you're pointing out all the  
11 things that Uber doesn't do. And if they had  
12 done these things, we don't know what they  
13 would have found.

14 Q. I'm sorry, I've only got five  
15 minutes, Mr. Sawyer. You have no evidence, as  
16 you sit here today, that an interview conducted  
17 at the time that the bellwether drivers were  
18 on-boarded to the Uber platform would have  
19 revealed any criminal offenses, correct?

20 A. Because nobody could know that  
21 without it being done back then. Then, no, I  
22 don't.

23 Q. Okay. You have no evidence that a  
24 drug test or an employment verification or an  
25 education verification or a warrant search

1 would have identified any criminal offenses if  
2 such measures had been taken at the time that  
3 the bellwether drivers were on-boarded; is that  
4 correct?

5 MR. ROTMAN: Objection. Asked and  
6 answered.

7 A. Because they were not done, there  
8 was no way to know that for sure.

9 MS. SMITH: Okay. I have no  
10 further questions. I appreciate your  
11 time, Mr. Sawyer. I know it was a long  
12 day. Thank you.

13 THE WITNESS: Thank you.

14 VIDEO TECHNICIAN: Anything else  
15 before we go off the record?

16 MS. SMITH: I'm just going to say  
17 thank you, thank you, thank you.  
18 Especially -- sorry.

19 MR. ROTMAN: Thank you, thank you.

20 VIDEO TECHNICIAN: We're now going  
21 off the record at approximately 7:24  
22 p.m.

23 (Time noted: 7:24 p.m.)  
24  
25

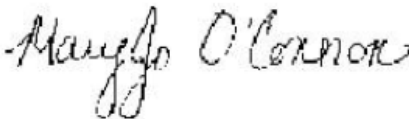
C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS  
SUFFOLK, SS.

I, MaryJo O'Connor, a Notary Public  
in and for the Commonwealth of  
Massachusetts, do hereby certify:

That DAVID CURTIS SAWYER, the  
witness whose testimony is hereinbefore set  
forth, was duly sworn by me and that such  
testimony is a true and accurate record of  
my stenotype notes taken in the foregoing  
matter to the best of my knowledge, skill  
and ability.

IN WITNESS WHEREOF, I have hereunto  
set my hand and Notarial Seal this 25th day  
of October 2025.



MARYJO O'CONNOR, RDR/RMR  
Notary Public

My Commission expires:  
September 17, 2032